

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF PENNSYLVANIA**

Maryann Butler and Audury Petie Davis,
Plaintiffs,

v.

New American Funding, et al.,
Defendants.

Civil Action No. 1:25-cv-00690-PJC

FILED
HARRISBURG, PA

AUG 04 2025

PER

DEPUTY CLERK

**JUDICIAL NOTICE OF PLAINTIFFS' NON-CONSENT AND FORMAL
OBJECTION TO ANY PROPOSED MOTION TO STRIKE OR DISMISS
CURATIVE FILINGS**

NOW COME Plaintiffs, Maryann Butler and Audury Petie Davis, to respectfully submit this Judicial Notice and formal Objection to any motion to strike or dismiss the filings submitted on and after July 14, 2025, which include verified pleadings, standing cures, third-party harm documentation, and preserved judicial exhibits. Plaintiffs expressly object to defense counsel Ronald Williams' request for consent to file a motion to strike and dismiss (Exhibit X2), and instead place the Court on notice that:

1. ECF Nos. 19, 38, 39, 40, and 41 were filed in direct response to this Court's July 11, 2025 Order striking prior entries without prejudice.
2. Plaintiffs timely and thoroughly cured the standing, verification, and evidentiary issues noted by the Court, and preserved all relevant declarations and third-party harm claims, which remain pending and unresolved by judicial ruling.
3. The Motion for Leave to Amend the Complaint (ECF 19) remains pending and adjudicated. Defense counsel did not oppose the amendment itself, but instead filed an objection to Rule 11 sanctions (ECF 31), expressly holding their position "in abeyance." The record reflects no judicial ruling on the amendment or the standing cure thereafter.
4. On August 2, 2025, counsel Ronald Williams (Fox Rothschild LLP) contacted Plaintiffs by email to request consent for a motion to strike or dismiss post-July filings. Plaintiffs

responded promptly and unequivocally: "No thanks." (See Exhibits X2 and X2a).

5. Plaintiffs also mailed correspondence to the General Counsel of Fox Rothschild LLP prior to this exchange, outlining concerns regarding ethical irregularities, misconduct by prior counsel John Q. Howard, and third-party harm issues left unresolved by the Court. That letter was delivered and signed for on August 4, 2025 at 12:43 p.m. by "L. Brown." (See Exhibit X2b).
6. Any future motion by Defendants to strike or dismiss these filings without first resolving the standing cures presented in ECF 19 and ECF 38–40 would constitute bad faith litigation conduct and further delay redress for real-world harm. Plaintiffs reserve the right to seek sanctions, appellate relief, and administrative action if such a tactic is advanced under false pretenses.
7. At the time of this filing, appellate jurisdiction is also pending before the Third Circuit in Case No. 25-2365, where Plaintiffs have submitted their corrected Notice of Appeal and 21-day jurisdictional response, with supporting exhibits including USB evidence. Any attempt by Defendants to now strike the lower court record while appellate review is active constitutes procedural gamesmanship and further boxes the Court into issuing inconsistent or unjust rulings.

WHEREFORE, Plaintiffs respectfully object to any motion to strike or dismiss filings submitted after July 14, 2025, and reiterate that the Court has not ruled on their verified curative complaint, standing cure, or declarations filed in good faith and in reliance on this Court's own Order.

This Judicial Notice is submitted to preserve the integrity of the record, protect appellate rights, and expose any improper efforts to sanitize misconduct already under Third Circuit review.

EXHIBITS

- Exhibit X2 – Ronald Williams' email requesting consent to strike/dismiss
- Exhibit X2a – Plaintiff's response: "No thanks"

- Exhibit X2b – USPS Proof of Delivery to Fox Rothschild LLP General Counsel (signed by "L. Brown," August 4, 2025 at 12:43 p.m.)

VERIFIED DECLARATION

We, the undersigned, declare under penalty of perjury that the foregoing is true and correct to the best of our knowledge, and that this filing is made in good faith to preserve the record, object to improper litigation conduct, and protect both parties and third parties from irreparable harm.

Executed this 4th day of August, 2025.

/s/ Maryann Butler

Maryann Butler, Plaintiff

/s/ Audury Petie Davis

Audury Petie Davis, Plaintiff

CERTIFICATE OF SERVICE

I certify that on August 4,, 2025, a true and correct copy of the foregoing Judicial Notice and Exhibits was filed with the Court and served via the CM/ECF system. Notice of this filing will be sent to all counsel of record by operation of the Court's electronic filing system. Plaintiffs also rely on PACER delivery for all service purposes.

Respectfully submitted,

Maryann Butler and Audury Petie Davis

Pro Se Plaintiffs